# **EXHIBIT A**

6 continuation sheets attached

In re	Salvatore Cipriano	Case No	14-48527
-		-,	
	Debtor		

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Husband, Wife, Joint, or Community CREDITOR'S NAME, CODEBTOR DELICOLDATED ISPUTED MAILING ADDRESS Н DATE CLAIM WAS INCURRED AND INCLUDING ZIP CODE W CONSIDERATION FOR CLAIM. IF CLAIM **INGENT** AND ACCOUNT NUMBER AMOUNT OF CLAIM J IS SUBJECT TO SETOFF, SO STATE. C (See instructions above.) Account No. AJ Lanzarotta Wholesale Fruit & X|JVegetabl 1000 Lakeshore E Mississauga, ON 4,600.00 Account No. **Allied Produce** 7067 Wellington Rd. Х Guelph, ON 6.400.00 Account No. **Bank of Montreal** Х 600,000.00 Account No. Howard & Howard Representing: 450 W. Fourth St Bank of Montreal **Notice Only** Royal Oak, MI 48067

EXHIBIT

12

of 25

611,000.00

Subtotal

(Total of this page)

In re	Salvatore Cipriano		Case No	14-48527	
•		Debtor			

CREDITOR'S NAME,	ç	Hu	sband, Wife, Joint, or Community		ç	Ü	D	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)  Account No.	CODEBTOR	C A H	DATE CLAIM WAS INCURRED ANI CONSIDERATION FOR CLAIM. IF CLA IS SUBJECT TO SETOFF, SO STATE	IM	CONFINGENT	DZJ_CO_LZC	SPUHED	AMOUNT OF CLAIM
Account No.	-					E D		
Bank of Montreal		-						
								36,000.00
Account No.	4							
Ben B. Schwarz & Sons, Inc. 7201 W Fort St. Detroit, MI 48209		J						
								144,951.00
Account No.	_							
Brady Farms Inc 14786 Winans St West Olive, MI 49460	x	J						
								49,280.00
Account No. xxxxxxx1846  Cap1/neimn 26525 N Riverwoods Blvd Mettawa, IL 60045		-	Opened 5/01/84 Last Active 3/23/14 Charge Account				1	
								6,259.00
Account No. xxxx7215  Cap1/saks 26525 N Riverwoods Blvd Mettawa, IL 60045		Н	Opened 1/01/71 Last Active 4/18/14 Charge Account					5,999.00
CI. a C. A . I								
Sheet no. <u>1</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims	t		(To	Si tal of th	ubto is p			242,489.00

In re	Salvatore Cipriano		Case No	14-48527	
<del></del>		Debtor			

CDEDITIONIC MANGE	Тс	Hu	sband, Wife, Joint, or Community	С	U	C	<u> </u>	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C N H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UZLIQUIDATED		1	AMOUNT OF CLAIM
Account No. xxxxxxxxxxxx3384			Opened 11/01/02 Last Active 3/27/14	Т	TE			
Capital 1 Bank Attn: Bankruptcy Dept. Po Box 30285 Salt Lake City, UT 84130		*	Charge Account		ט			4,942.00
Account No. xxxx5608	-	_	Opened 6/01/12 Last Active 11/01/12	$\dashv$	-	$\dagger$	+	
Cashcall Inc Attn:Bankruptcy Department 1600 S Douglass Rd Anaheim, CA 92806			Unsecured					
The state of the s	┖				L	_	_	9,963.00
Account No. xxxxxxxxxxxxx5673  Chase			Opened 3/01/99 Last Active 4/01/14 Credit Card					
								19,359.00
Account No. xxxxxxxxxxxxx1818  Chase Po Box 15298 Wilmington, DE 19850		н	Opened 12/01/90 Last Active 4/08/14 Credit Card					12,699.00
Account No.	_			_	-	-	+	
City Foods Produce Ltd 6080 Indian Line Mississauga, ON	x	J						32,500.00
Sheet no. 2 of 6 sheets attached to Schedule of		•		Sub				79,463.00
Creditors Holding Unsecured Nonpriority Claims			(Total or	this	pag	ge)	) [	•

In re	Salvatore Cipriano	Case No	14-48527	
	Debtor			

CDEDITOR'S NAME	C	Hu	sband, Wife, Joint, or Community	·c	U	ΤÞ	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C H M	DATE CLAIM WAS INCLIDED AND	COZH-ZGWZH	N L	DISPUTED	AMOUNT OF CLAIM
Account No.			J.R. Mazzola	Ť	TE		
Coface Collection North America Po Box 1389 Kenner, LA 70063	x	-			D		3,625.00
Account No. xxxxxxxxxxx4288	1	<u> </u>	Opened 6/01/09 Last Active 1/05/14	+	-	-	3,323.33
Comenity Bank/Pottery Barn Attention: Bankruptcy P.O. Box 182686 Columbus, OH 43218		-	Charge Account				118.00
Account No.	$\dagger$			+		$\vdash$	
Coosemans Worldwide, Inc 7201 W Fort St., Rm 45 Detroit, MI 48209	x	J					
Account No.							5,620.00
Don's Produce and Resale 21620 Sumpter Rd Belleville, MI 48111	х	J					10,500.00
Account No.		-		+	_		
F.G. Lister and Co, Ltd 475 Horner Toronto, ON	x	J					39,500.00
Sheet no. 3 of 6 sheets attached to Schedule of				Subt	tota	1	59,363.00
Creditors Holding Unsecured Nonpriority Claims			(Total of	this p	pag	ge)	39,303.00

In re Salvatore Cipriano	Case No14	4-48527
Debtor		

	10	L	uphand Wife Joint or Community	To	Tir	TE	T
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) Account No.	CODEBTOR	HWJC	CONSIDERATION FOR CLAIM. IF CLAIM	COZH-ZGEZH	UNLLQULDAFED	DISPUTED	AMOUNT OF CLAIM
Fresh Advancements Inc 165 The Queensway Etoibicoke, ON	x	J		,	D		29,660.00
Account No.				-			<b>M</b> 0,000,00
Fresh Pak Produce 1975 Setterington Dr. Kingsville, ON	×	-					
							2,750.00
Account No.  Glenvalley Transportation 163 Glenvalley Dr.  Cambridge, ON	x						4,000.00
Account No.		_		ļ	_		24,000.00
Integrated Custom Service 430 Springbank Woodstock, ON	x	-					1,121.00
Account No.				-			1,121.00
Jacobs Transport Po Box 126 1387 Vittoria Rd. Vittoria, ON	x	-					51,425.00
Sheet no. 4 of 6 sheets attached to Schedule Creditors Holding Unsecured Nonpriority Claims	of		(Total of	Subt his p			88,956.00

In re	Salvatore Cipriano	Case No. <u>14-48527</u>
	Debtor	

CDEDITODIC NIA MIT	С	Н	usband, Wife, Joint, or Community	С	U	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)  Account No.	CODEBTOR	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM	COZH-ZGEZH	ORL-QUIDATED	I SPUTED	AMOUNT OF CLAIM
LaGrasso Brothers Produce 5001 Bellevue St Detroit, MI 48202	x	J			ED		20,500.00
Account No.		╁		-			
Lis MC Evilly 33300 Five Mile Rd. Ste 200 Livonia, MI 48154	x	-					
Account No.	·	<u> </u>		_			1,225.00
Metro Produce 3445 Russell Detroit, MI 48207	x	J					40.005.00
Account No.	┪	-		-			16,325.00
Miedema Produce 5005 40th Ave. Hudsonville, MI 49426	x						
Account No.	╀	ļ					1,225.00
Ram Produce 340 Oakwood Blvd Detroit, MI 48217	x	j					22.046.00
Sheet no. <b>5</b> of <b>6</b> sheets attached to Schedule of				11			33,946.00
Creditors Holding Unsecured Nonpriority Claims			(Total of t	Subt his p		- 1	73,221.00

In re	Salvatore Cipriano		Case No	14-48527	
		Debtor			

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CREDITOR'S NAME,	CODEBTOR	Hu	sband, Wife, Joint, or Community	COZH-ZGMZ	U	D		
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)  Account No.		H U C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.		DELLODINAL DELLO	SPUTED	AMOUNT OF CLAIM	
Account No.	ł				E	ĺ		
Royal Banana Co 7201 W Fort St Detroit, MI 48209	x	J					44,783.00	
Account No.	-						77,700.00	
Serra Brothers Inc 7201 W. Fort St Detroit, MI 48209	х	J						
							55,824.00	
Account No.								
Sweet Melissa Trucking 33985 Harper Ave. Clinton Township, MI 48035	х	J						
							7,700.00	
Account No.								
Mel R. Partovich & Associates, PLLC 37887 W. 12 Mile Rd, Ste B Farmington, MI 48331			Representing: Sweet Melissa Trucking				Notice Only	
Account No.	$\vdash$	$\dashv$						
	TOTAL CONTRACTOR							
Sheet no. 6 of 6 sheets attached to Schedule of		Subtotal			1	409 207 00		
Creditors Holding Unsecured Nonpriority Claims			(Total of this page)			108,307.00		
Total (Report on Summary of Schedules)					- 1	1,262,799.00		

# **EXHIBIT B**

#### UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

In the matter of:

SALVATORE CIPRIANO,

Case No. 14-48527

Detroit, Michigan Wednesday, July 9, 2014 Judge McIvor

Debtor

341 HEARING

BEFORE KENNETH A. NATHAN, CHAPTER 7 TRUSTEE

TRANSCRIPT ORDERED BY: VICTOR J. TORRES (Williams Acosta)

APPEARANCES:

For the Debtor:

Linnell & Associates

BY: ERIK STEIN

2804 Orchard Lake Road, Suite 203

Keego Harbor, MI 48320

For Ram Produce &

Distributors, L.L.C.:

Williams Acosta

BY: VICTOR J. TORRES 535 Griswold, Suite 1000

Detroit, MI 48226

For Bank of Montreal:

Howard & Howard

BY: BRANDON J. WILSON

. 450 W. Fourth St. Royal Oak, MI 48067

For the U.S. Trustee:

Office of the U.S. Trustee

BY: SEAN COWLEY

211 W. Fort St., Suite 700

Detroit, MI 48226

Transcribed by:

Lynn L. Simmons 8284 Caribou Trail Clarkston, MI 48348

248-922-1587

#### TABLE OF CONTENTS

PROCEEDINGS - Wednesday, July 9, 2014	3
DEBTOR WITNESS: Salvatore Cipriano	
Examination by the trustee Appearance by Mr. Stein Examination by Mr. Torres Examination by Mr. Wilson Appearance by Mr. Cowley Examination by the trustee Hearing adjourned to August 27, 2014	3 3 8 22 35 35 42

- 1 documents. Can you identify those documents as your
- 2 | bankruptcy petition, schedules and other related bankruptcy
- 3 | pleadings?
- $4 \parallel A$ . Yes, sir.
- $5 \parallel Q$ . And is that your signature that appears in each and every
- 6 | place you were required to have signed them?
- 7 A. Yes, sir.
- $8 \parallel Q$ . And you signed them in each and every place?
- 9 A. Yes, sir.
- 10 | Q. And did you review them carefully prior to signing them?
- 11 | A. Yes, sir.
- 12 | Q. And at the time you signed them were you satisfied that
- 13 | each and every item placed in those documents was a truthful
- 14 | and accurate statement?
- 15 | A. Yes, sir.
- 16 | Q. Do you still believe everything in there today is still
- 17 | truthful and accurate?
- 18 | A. We have --
- MR. STEIN: There are a couple -- couple things that
- 20 we noticed that we will need to amend quickly. On the
- 21 statement of financial affairs question number 10 I believe --
- 22 THE TRUSTEE: Transfers we're talking about?
- MR. STEIN: No, it's not. It's lawsuits.
- 24 THE TRUSTEE: Okay. That's 5 or 6.
- MR. STEIN: Five or 6, yeah. I'm sorry. Off the

top of my head. It's -- in any event, question 4, there is a federal lawsuit that was filed in the year preceding the case that was still active with -- it would be Ben B. Schwartz versus -- versus Mr. Cipriano. So we will amend to add that --

THE TRUSTEE: Okay.

 $$\operatorname{MR.}$  STEIN: -- that case, and that was from the Eastern District of Michigan.

THE TRUSTEE: What else?

MR. STEIN: On Schedule F there were I believe three smaller creditors that were accidentally omitted, and we will amend to add them and renotice them of proceeding. And then on Schedule B there was under item -- let me give you the exact number -- under item 18, one of Mr. Cipriano's businesses, the Canadian company, did have an account receivable to Mr. Cipriano that was not indicated on there. So we will amend to include that as well.

THE TRUSTEE: Okav.

 $$\operatorname{MR.}$  STEIN: Those are the only corrections that we know of at this time.

BY THE TRUSTEE:

- Q. All right. Anything further you need to tell us about, sir? You heard everything your attorney just stated on the record. Would you agree with everything he said?
- 25 | A. Yes, sir.

- $1 \parallel Q$ . And other than those changes, are there any other changes
- 2 | that you believe need to be made to those documents?
- 3 | A. No.
- 4 | Q. And other than that you believe everything to be truthful
- 5 | and accurate?
- 6 A. Yes, sir.
- 7 | Q. Have you ever filed a bankruptcy before --
- 8 A. No, sir.
- 9 0. -- other than this case?
- 10 | A. No.
- 11 | Q. This was filed initially as a 13 but converted very
- 12 | quickly.
- 13 | A. Yes.
- 14 | Q. Okay. Why is that? Why did you file as a 13?
- 15 A. There were garnishments that were being placed against my
- 16 | wages, and in order to stop the garnishments, we went to a
- 17 | Chapter 7. And also --
- 18 Q. You mean a 13. You initially filed this as a 13.
- 19 | A. It was a 13.
- 20 | Q. To stop the garnishments.
- 21 A. To stop the garnishments. And then we went to a Chapter
- $22 \parallel 7$  because I would not qualify under a 13 because most of the,
- 23 | over 60 percent or so of the debt is all business-related.
- 24 | Q. You work for a company called Ben B. Schwartz; right?
- 25 A. Yes.

- 1 MR. WILSON: Yes.
- 2 THE TRUSTEE: Proceed. One at a time.
- 3 MR. TORRES: My name is Victor J. Torres. I'm with
- 4 | the law firm of Williams Acosta, P.L.L.C. We represent
- 5 | creditor Ram Produce & Distributors, L.L.C.

#### EXAMINATION

- 7 BY MR. TORRES:
- 8 | Q. And I do have a few questions for you, Mr. Cipriano.
- 9 | A. Sure.

6

- 10 | Q. First, I see that you've listed on your Schedule F a debt
- 11 | to Ram Produce -- that's my client --
- 12 | A. Yes.
- 13 || Q. -- in the amount \$33,946.
- 14 | A. Yes.
- 15 | Q. And that is the amount that is presently due and owing;
- 16 | correct?
- 17 A. Approximate. To the best of my memory.
- 18 | O. Yeah.
- 19 MR. TORRES: Counsel, I'm going to show him a one-
- 20 page -- it's just a summary of a customer ledger sheet with
- 21 | the balance.
- 22 MR. STEIN: Okay.
- 23 BY MR. TORRES:
- 24 | Q. And I'd just like to direct your attention to this
- 25 | customer ledger from Ram Produce Distributors, and at the

- 1 bottom we see that the most recent payment was from June 20 of
- 2 2012, in the amount of \$875; correct? Do you see that?
- 3 | Second to the bottom. I'm -- yeah, second to the bottom --
- 4 | A. Okay. Uh-huh.
- $5 \parallel 0$ . -- line.
- 6 | A. Yes.
- 7 | Q. Okay. So that shows a balance of \$33,946.10; correct?
- 8 | A. Yes.
- $9 \parallel Q$ . And that matches within ten cents of what you have listed
- 10 on Schedule F; correct?
- 11 | A. Yes.
- 12 | Q. Okay. And we see if we look at the ledger, the one-page
- 13 | ledger I gave to you, that on May 18, 2012, there is also a
- 14 | payment made, a partial payment on the balance of \$3,100;
- 15 | correct? Third -- third from the bottom.
- 16 | A. Yes.
- 17  $\parallel$  Q. Okay. So at the time those two payments were made on May
- 18 | 18 of '12, and June 20 of 2012, you in fact acknowledge that
- 19 | that's the amount that was due and owing; correct?
- 20 | A. Yes.
- 21 | Q. Okay. And you acknowledge that today; correct?
- 22 | A. Yes.
- 23 Q. And the -- the amounts due and owing to Ram Produce are
- 24 as the result of your purchase of produce; correct?
- 25 A. Yes.

- 1  $\parallel$  Q. And by the way, the produce that was purchased by -- was
- 2 | that purchased by you individually or Produce Buyers, your
- 3 | company?
- $4 \parallel A$ . No, by the company.
- 5 Q. By the company.
- 6 A. Yes.
- 7 | Q. And the purpose of produce from Ram Produce was to turn
- 8 | around and sell it; correct?
- 9 | A. Yes.
- 10 | Q. And that's in effect what you did; correct?
- 11 | A. Yes.
- 12  $\parallel$  Q. What happened to the proceeds of the sales of the produce
- 13 | that was provided by Ram Produce?
- 14 A. They were funnelled through the company and paid
- 15 | invoices.
- 16 | Q. They paid invoices of the company?
- 17 | A. Yes.
- 18 | Q. At your direction; correct?
- 19 A. Yes.
- 20 Q. You were in charge of Produce Buyers?
- 21 | A. Right.
- 22 | Q. You decided how the money would be spent once it was
- 23 | received; correct?
- 24 A. Yes.
- 25 Q. There was no one else that was in charge --

- 1 | A. No.
- 2 | Q. -- for Produce Buyers; correct?
- 3 | A. No.
- 4 | Q. Do you currently have a PACA license?
- 5 A. Not any longer. It would be expired.
- 6  $\parallel$  Q. Okay. Did you have individually a PACA license of any
- 7 | type at any time?
- 8 A. Only in Produce Buyers (indiscernible).
- 9  $\parallel$  Q. (Interrupting.) Okay. Produce Buyers did.
- 10 | A. Yes.
- 11 | Q. And you're indicating either that was -- what's the
- 12 status of that license that Produce Buyers had, the PACA
- 13 | license?
- 14 | A. It's expired.
- 15 | Q. It's expired?
- 16 | A. Oh, yes.
- 17 | Q. Do you recall when?
- 18 A. In 2012 when I couldn't pay it.
- 19 | Q. Okay. When did Produce Buyers cease business operations?
- 20 | A. Right around June, end of June, July of 2012, through
- 21 | that.
- 22 | Q. And -- and the physical location of the business?
- 23 | A. It was Office 93, 7201 West Fort Street, 48219.
- 24 | Q. Okay. I see that you have both Produce Buyers and then
- 25 | another company, a Canadian company --

MR. STEIN: Not a problem.

THE TRUSTEE: So I have that. Okay.

For purposes of today I don't have anything further.

Does anybody else have anything further?

MR. WILSON: No, I don't. Thank you.

THE TRUSTEE: Okay.

MR. TORRES: Thanks, Mr. Nathan.

(Hearing adjourned to August 27, 2014.)

I certify that the foregoing is a correct transcript of the proceedings held in the above-entitled matter.

DATED: <u>September 2, 2014</u>

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Lynn L. Simmons, Transcriber

# **EXHIBIT C**

#### UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

In re: Salvatore Cipriano,	Case No. 14-48527-mbm					
Debtor.		Chapter 7				
helis film thè in Techniti (11 th in metro ala base plan bas also réamb i a la Blace (14 ch il 14 ch in 14 ch il 14 ch in 14 ch il 14 ch in 14 ch i	kadan kalana suma sum <sub>a</sub> (ay sujika ka ana suma suma suma suma baga na kapana kapana ka suma sa dala suma su kasa suma s	Honorable Marci B. McIvor				
R.A.M. PRODUCE DISTRIBUTORS, L.L.C., a Michigan limited liability company.						
Plaintiff,						
no V S ar	Adversary Proceeding No.					
SALVATORE CIPRIANO a/k/a SAL CIPRIANO an individual, AND PRODUCE BUYERS CO., a Michigancorporation,						
Defendants.	ти и потражения по потражения по потражения	1880 Wede is welcomed in this season you was an array personnel was a compared to the control of				
Erik C. Stein (P72172) Linnell& Associates, PLLC Attorneys for Debtor 2804 Orchard Lake Road Suite 203 Keego Harbor, MI 48320 (248) 977-4182	Kenneth Nathan (P39142) Nathan Law PLC Trustee 29100 Northwestern Highway Suite 310 Southfield, MI 48034 (248) 351-0099	Victor J. Torres (P43240) Williams Acosta, PLLC Attorneys for R.A.M. Produce Distributors, L.L.C. 535 Griswold Street, Suite 1000 Detroit, MI 48226 (313) 963-3873				
AFFIDAVITOF MICHAEL J. BOMMARITO						
STATE OF MICHIGAN ) ) SS. COUNTY OF WAYNE )						
Michael J. Bommarito, being first duly sworn and under oath states:						
1. I am the Managing Member of R.A.M. Produce Distributors, L.L.C. ("RAM						

Page 21 of 25

Produce"), and I am authorized to sign this affidavit on behalf of RAM Produce.

- 2. I am personally familiar with the facts and circumstances on which the RAM Produce claims in this case are based including the statements made in this affidavit and, if sworn as a witness, I am competent to testify to them.
- 3. From on or about June 10, 2010, through on or about November 12, 2010, RAM Produce sold and delivered to Produce Buyers Co., a Michigan limited liability company, ("Produce Buyers"), perishable agricultural commodities, pursuant to the Perishable Agricultural Commodities Act, 7 U.S.C. §499a et seq. ("PACA").
- 4. With and/or after each sale and delivery of produce, RAM Produce delivered or mailed an itemized bill for the produce sold.
- 5. Each itemized invoice that was delivered or mailed to Produce Buyers explicitly provided notice that the sale of commodities was made pursuant to the PACA.
- 6. The total principal amount due to RAM Produce from Produce Buyers for the produce sold and delivered from in or about June 2010, through November 2010, was \$37,921.10.
- 7. Produce Buyers made two partial payments on the \$37,921.10 balance owed to RAM Produce.
- 8. The first partial payment was tendered on or about May 18, 2012, in the amount of \$3,100.00 and the second partial payment was tendered on or about June 20, 2012, in the amount of \$875.00.
- 9. A true copy of the account of Produce Buyers with RAM Produce is attached as Exhibit 1 and reflects a principal balance owed of \$33,946.10, after credit for the two partial payments.
  - 10. As a result of the foregoing, Produce Buyers has an outstanding account with

RAM Produce in the principal amount of \$33,946.10 exclusive of costs, interest, and attorney fees as of the date of this affidavit.

- 11. The account of Produce Buyers with RAM Produce with a principal balance of \$33,946.10 is just and correct and remains unpaid despite numerous requests for payment by RAM Produce.
- 12. The account of Produce Buyers with RAM Produce as noted above is true and accurate after consideration of any and all lawful payments, credits, and off-sets.
- 13. The produce sold, pursuant to the PACA, by RAM Produce to Produce Buyers as described above was properly provided by RAM Produce and payments for the produce became due and owing after rendering of the accounts by RAM Produce.
- 14. RAM Produce rendered the referenced accounts to Produce Buyers during the normal course of business, but despite numerous requests for payment, Produce Buyers has refused to pay and settle the account, and has not objected to or disputed the account.
- 15. Based on the foregoing, the total amount due and owing to RAM Produce by Produce Buyers (and/or others) on account is \$33.946.10 in principal, plus costs, interest and attorney fees.

Michael J. Bommarito

Subscribed and sworn to before me

this 5th day of Letter 2014

Bonita K. Crison, Notary Public State of Michigan, County of Macomb BONITA K. CRISON
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Sep 26, 2020
ACTING IN COUNTY OF LACLY

My Commission Expires: Sep. 26, 2020

Acting in the County of Wayne

# EXHIBIT C-1

PLM / AR210L 00182493 R.A.M. Produce Distributors Customer Ledger

Page : 1 06/27/14 11:23a

Ending: 04/04/13

Customer: PROD PRODUCE BUYERS

Date	Type	Amount	Balance	Reference	<b>73</b> (	fex :
******	*******	*******	naamanaman		Batch	Trns
06/10/10	Involce				100 100 100 000 000 000 000	200 000 MIC 100
		700.00	700.00	Inv 00414871	ICV009	2499
06/11/10	Invoice	1,359.10	2,059.10	Inv 00414869	ICV009	2498
06/14/10	Invoice	480.00	2,539.10	Inv 00415197	ICV009	2500
07/02/10	Invoice	4,200.00	6,739.10	Inv 00420880	ICVOOS	2501
07/05/10	Invoice	400.00	7,139.10	Inv 00421404	ICV009	2502
07/19/10	Invoice	6,480.00	13,619,10	Inv 00424461	ICVOOS	2504
07/20/10	Invoice	3,710.00	17,329,10	Inv 00423925	ICV009	2503
07/21/10	Invoice	1,200.00	18,529.10	Inv 00424671	ICV009	2505
07/23/10	Invoice	4,550.00	23,079,10	Inv 00425318	ICV009	2506
07/26/10	Invoice	3,080.00	26,159.10	Inv 00425799		2508
07/27/10	Credit	140.00	26,019.10	Inv 00425697		2507
08/12/10	Invoice	1,479.00	27,498.10	Inv 00427473	ICVOOS	
08/13/10	Credit	116.00	27,382.10	Inv 00427474		2510
08/19/10	Invoice	875.00	28,257.10	Inv 00430887	ICV009	
09/13/10	Invoice	2,408.00	30,665.10	Inv 00435343		2512
09/13/10	Invoice	2,400.00	33,065.10	Inv 00435616		2513
10/25/10	Involce	120.00	33,185.10	Inv 00444550		
10/28/10	Invoice	200.00	33,385.10	Inv 00444843		2514
11/09/10	Invoice	1,512.00				2515
11/12/10	Invoice	*	34,897.10	Inv 00447644		2516
05/18/12		3,024.00	37,921.10	Inv 00447913	ICV009	2517
	Payment	3,100.00	34,821.10		E6000d	1
06/20/12	Payment	875.00	33,946.10		P00136	1
12/28/12	Wrt Off	33,946.10	.00	W/O Bad Debt	P00419	1: